

# **EXHIBIT**

## **“A”**

**MARCH 13, 2019 NCAA  
MEMORANDUM**



## MEMORANDUM

March 13, 2019

VIA EMAIL

TO: NCAA Division I Directors of Athletics, Senior Compliance Administrators and Men's Basketball Head Coaches.

FROM: NCAA Academic and Membership Affairs and Enforcement Staffs.

SUBJECT: Information Regarding the 2019 National Basketball Association Draft and Combine, Agents and Workouts.

The purpose of this document is to provide an educational resource you can share with your men's basketball student-athletes with eligibility remaining who may have a desire to "test the waters" as it relates to their pursuit of a potential professional basketball career. You are encouraged to discuss this document with those men's basketball student-athletes who are gauging their readiness for competition at the next level through a variety of methods, including tryouts with professional teams. These student-athletes will undoubtedly rely on several individuals to assist in the decision-making process.

At the end of this process, your men's basketball student-athlete may in fact reach the conclusion that it is not in his best interest to pursue a professional career at this time, but rather to continue athletics participation at the intercollegiate level while pursuing his academic degree. Involvement in activities during this process can affect his intercollegiate eligibility. The following information is designed to help him maintain his eligibility while "testing the waters."<sup>1</sup>

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<sup>1</sup> NCAA bylaws are subject to change. This document is intended for educational purposes only and does not usurp or supersede the current rules of the NCAA. All student-athletes with specific questions relating to their NCAA eligibility should contact the NCAA compliance officer at their respective institution to ensure an accurate interpretation of the bylaws. Any questions related to NBA rules, which are also subject to change, should be directed to the NBA.

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**Key Points**

The key points below highlight important NCAA rules related to maintaining NCAA eligibility while "testing the waters." More detail on each rule is contained within this document.

A men's basketball student-athlete will lose his eligibility IF:

*Nos. 1- 6 below are NEW IN 2019!*

1. He enters the NBA Draft without requesting an Undergraduate Advisory Committee evaluation from the NBA.
2. He agrees orally or in writing to be represented by any individual other than an NCAA-certified agent.<sup>2</sup>
3. He accepts any benefits from an individual other than an NCAA-certified agent.
4. He accepts any benefits from an NCAA-certified agent that are not expressly permitted by NCAA legislation or outside of the permissible timeframe allowed by NCAA legislation.
5. He participates in a tryout with an NBA team that lasts longer than 48 hours (exception for the NBA Draft Combine and G League Elite Camp held in connection with the Combine), which he has not personally financed, or an NCAA-certified agent has not financed.
6. He misses class to participate in a tryout, including travel to and from the tryout (exception for the NBA Draft Combine and G League Elite Camp held in connection with the Combine).
7. He enters the NBA Draft AND does not take the appropriate steps to withdraw and declare his intention to resume intercollegiate participation.
8. He enters the NBA Draft AND is drafted by a professional team.

It is important to note that an institution may cancel a student-athlete's athletics scholarship if he has an agreement with a non-NCAA certified agent or otherwise jeopardizes his eligibility during this process.

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<sup>2</sup> For purposes of NCAA bylaws and this memo, National Basketball Players Association (NBPA) certified agents are considered NCAA-certified agents until the NCAA certification program is developed, which will not be later than August 1, 2019. A list of NBPA-certified agents can be found at: <https://nbpa.com/agents/directory/>.

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**2019 Key Dates**

<b>End of Team's Playing Season (including postseason games)</b>	<b><i>NEW IN 2019!</i></b> Per NCAA rules, first date to request an NBA Undergraduate Advisory Committee evaluation. Once the evaluation is requested, may sign an agreement with an NCAA-certified agent.
<b>April 11 (11:59 p.m. ET)</b>	<b>Deadline to request evaluation from NBA Undergraduate Advisory Committee.</b>
<b>April 17-20</b>	Portsmouth Invitational Tournament (Portsmouth, Virginia) (seniors only).
<b>April 21 (11:59 p.m. ET)</b>	<b>2019 NBA Draft deadline for early-entry candidate application.</b>
<b>April 22 – May 29</b>	Per NBA rules, after the NBA League Office circulates "early-entry" list on or around April 22, NBA teams can then begin conducting or attending workouts with early-entry players. (Note: NBA teams are prohibited, prior to the date the league office distributes to teams the official early-entry list, from communicating with any early-entry player or his representative, including for the purposes of scheduling a workout to take place after the list will be distributed.)
<b>April 26-May 3</b>	NBA Draft Combine and G League Elite Camp invitations (and player questionnaires) sent to invitees. <sup>3</sup>
<b>May 12-14</b>	G League Elite Camp (Chicago). <sup>4</sup>
<b>May 14-19</b>	NBA Draft Combine (Chicago).
<b>May 29 (11:59 p.m.)</b>	<b>NCAA (post-Combine) withdrawal deadline.</b>
<b>June 10 (5 p.m. ET)</b>	NBA early-entry withdrawal deadline.
<b>June 20</b>	NBA Draft (New York).

<sup>3</sup> The NBA will send four types of email communications: (1) an NBA Draft Combine invitation without a requirement to participate in on-court basketball activities, (2) a conditional Draft Combine invitation with a requirement to fully participate, including all on-court basketball activities, (3) a G League Elite Camp invitation, and (4) a letter of consideration and request for information pertaining to the G League Elite Camp which states stating that you will be contacted again once a determination regarding your invitation status has been made.

<sup>4</sup> The G League Elite Camp will take place in Chicago (in connection with the NBA Draft Combine) for approximately 40 of the best Draft-eligible players who did not initially receive an invitation to the Combine. In certain cases, a player initially invited to the G League Elite Camp may subsequently be invited to participate in the Combine (instead of the G League Elite Camp). The highest performing players at the G League Elite Camp will be invited to participate in the Combine.

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Student-athletes who receive either an NBA Draft Combine invitation, a conditional Combine invitation or G League Elite Camp invitation (see footnote No. 3) may workout with their coaches for a maximum of four hours per day and 20 hours per week from the date of receipt of the invitation until the date on which the student-athlete withdraws from the draft or 10 days after the conclusion of the Combine, whichever is earlier.

The NBA will send a questionnaire to selected players who do not receive an invitation that asks whether they would participate in the G League Elite Camp, if invited. It is important to note that a questionnaire is not considered an invitation. As such, student-athletes with remaining eligibility who receive a questionnaire are not permitted to use the legislative exception that allows coaches to engage in countable athletically related activities with student-athletes invited to the NBA Draft Combine or G League Elite Camp for up to four hours per day and 20 hours per week.

The NBA will notify directors of athletics, senior compliance administrators and head coaches of student-athletes who receive an invitation or questionnaire to help ensure that underclassmen are properly advised on what they need to do to retain their academic and amateur eligibility for participation at an NCAA Division I institution.

**Frequently Asked Questions**

**Question No. 1:** Who is a non-NCAA-certified agent?

**Answer:** A non-NCAA-certified agent is any individual who is not certified by the NCAA agent-certification program and, directly or indirectly:

- a. Represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain; or
- b. Seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

**Question No. 2:** May a student-athlete, his family members or any other individuals who are associated with him because of playing basketball (e.g., high school coach, non-scholastic team coach) have any type of agreement (e.g., written, oral, future) with a non-NCAA-certified agent?

**Answer:** NO! A student-athlete, his family members or any other individuals who are associated with him because of playing basketball are not permitted to

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have an agreement (written, oral or future) with a non-NCAA-certified agent, or anyone who is employed by or acting on behalf of an agent or sports agency (i.e., "runner").

**Question No. 3:** Is a non-NCAA-certified agent allowed to contact teams on behalf of a student-athlete to arrange tryouts?

**Answer:** NO! A student-athlete cannot have a non-NCAA-certified agent arrange a tryout (or private workout) with an NBA team.

**Question No. 4:** May a student-athlete, his family members or any other individuals who are associated with him because of playing basketball (e.g., high school coach, non-scholastic team coach) accept benefits from a non-NCAA-certified agent?

**Answer:** NO!



In August 2018, the NCAA Division I Board of Directors adopted bylaws that allow an enrolled men's basketball student-athlete who has requested an evaluation from the NBA Undergraduate Advisory Committee to enter into an agreement and receive limited benefits from an NCAA-certified agent.

**NCAA-Certified Agent Definition.**

**Question No. 1:** Who is an NCAA-certified agent?

**Answer:** An NCAA-certified agent is any individual who solicits a student-athlete to enter into an agency contract for purposes of obtaining employment with a professional sports team or organization as a professional athlete.

An NCAA-certified agent must maintain an active certification per policies and procedures of the NCAA agent-certification program.

*For purposes of NCAA bylaws and this memo, NBPA-certified agents are considered NCAA-certified agents until the NCAA certification-program is developed, which will not be later than August 1, 2019. A list of NBPA-certified agents can be found at: <https://nbpa.com/agents/directory/>.*

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**Agent Agreement for Representation.**

**Question No. 2:** May a student-athlete enter into an agreement with an NCAA-certified agent?

**Answer:** YES! Following his team's 2018-19 basketball season and once he has requested an evaluation from the NBA Undergraduate Advisory Committee, a student-athlete may enter into an agreement with an NCAA-certified agent.

**Question No. 3:** When may a student-athlete sign an agreement for representation with an NCAA-certified agent?

**Answer:** A student-athlete may sign an agreement with an NCAA-certified agent after the conclusion of his team's playing season and once he has requested an evaluation from the NBA Undergraduate Advisory Committee. A student-athlete may not be represented by an NCAA-certified agent until he has signed a written agreement with the agent. If a student-athlete does not sign a contract with a professional team, the agreement between the student-athlete and agent (including permissible expenses) must be terminated before the student-athlete enrolls full time in the ensuing regular academic term.

**Question No. 4:** What services may an NCAA-certified agent provide to a student-athlete?

**Answer:** An NCAA-certified agent may provide representation services to a student-athlete for purposes of obtaining employment with a professional sports team or organization as a professional athlete. Such services may include contacting professional teams on behalf of the student-athlete and setting up tryouts with professional teams.

**Expenses During the Agent Selection Process.**

**Question No. 5:** May an NCAA-certified agent provide expenses to a student-athlete or his family members prior to an agency contract being signed?

**Answer:** NO! It remains impermissible for an NCAA-certified agent to provide expenses to a student-athlete or his family members prior to an agency contract being signed. The NCAA and the Uniform Law Commission are working together to modify the Uniform Athlete Agents Acts to allow for NCAA-certified agents to provide limited expenses to a student-athlete during the agent selection process (i.e., prior to signing a contract with an agent).

**Question No. 6:** Who is considered a family member of a student-athlete?

**Answer:** As defined in NCAA Bylaw 12.02.4, a family member is an individual with any of the following relationships to a student-athlete: spouse, parent or legal

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guardian, child, sibling, grandparent, domestic partner or any individual whose close association with the enrolled student-athlete is the practical equivalent of a family relationship. While not subject to the agent certification process, family members remain subject to all applicable NCAA legislation and will jeopardize the student-athlete's eligibility if found to have solicited financial or other material benefits as a result of their relationship with the student-athlete.

**Expenses Associated with Agent Representation.**

**Question No. 7:** May an NCAA-certified agent provide expenses to a student-athlete and his family members once an agency agreement is signed?

**Answer:** YES! Once a student-athlete signs an agreement with an NCAA-certified agent, the agent may provide transportation, lodging and meals to the student-athlete and his family members related to meeting with the agent or professional teams. The student-athlete may not miss class for such meetings, including during the summer.

**Question No. 8:** Does this legislation allow an NCAA-certified agent to cover expenses for a student-athlete to use the services of other professionals, such as a trainer and/or nutritionist?

**Answer:** NO! Permissible expenses are limited to meals, lodging and transportation related to meeting with the agent or professional teams.

**Question No. 9:** If professional services (e.g., nutritionist, trainer) are available through the NCAA-certified agent, may the student-athlete access those services?

**Answer:** YES! He may use services available through the agent provided he pays the going rate for such services.

**Question No. 10:** Is the student-athlete required to compensate the NCAA-certified agent for representation services?

**Answer:** NO! A student-athlete is only required to compensate the agent for representation services if the agent charges other clients for the same services (e.g., flat rate fee for consultation).

**Question No. 11:** If a student-athlete is not drafted and enters or returns to school, is he required to pay back permissible expenses received from the NCAA-certified agent?

**Answer:** NO!

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NBA Draft

**Question No. 1:** Is a student-athlete allowed to enter the NBA Draft prior to exhausting his NCAA eligibility (i.e., as an NBA early-entry candidate)?

**Answer:** YES! A student-athlete may enter a professional basketball league's draft each year during his collegiate career without jeopardizing his eligibility, provided:

- a. He requests an evaluation from the National Basketball Association's Undergraduate Advisory Committee before entering the draft (*new NCAA requirement beginning with the 2019 NBA Draft*);
- b. He withdraws his name from the NBA Draft by 11:59 p.m. Eastern time on May 29, 2019;
- c. He declares his intention to resume intercollegiate participation by 11:59 p.m. Eastern time on May 29, 2019. This declaration must be in writing to his director of athletics; and
- d. He is not drafted by any team<sup>5</sup>.

**Question No. 2:** May a student-athlete participate in the NBA Draft Combine and/or G League Elite Camp in May?

**Answer:** YES! If invited, a student-athlete may participate in the NBA Draft Combine and/or G League Elite Camp in May. (See key dates section.)

**Question No. 3:** Can the NBA pay for actual and necessary travel, and room and board expenses associated with participating in the NBA Draft Combine and/or G League Elite Camp?

**Answer:** YES! A student-athlete may accept actual and necessary travel, and room and board expenses from the NBA to attend the NBA Draft Combine and/or G League Elite Camp.

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<sup>5</sup> Under NBA rules, an NBA team may not draft a player who withdraws his name from the NBA Draft in a timely fashion, provided such player has not previously withdrawn from the NBA Draft more than twice.

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**Workouts/Tryouts**

**Question No. 1:** Can a student-athlete's college coach assist with the logistical issues associated with on-campus or off-campus workouts/tryouts (e.g., arranging and scheduling of a professional team tryout)?

**Answer:** YES! It is permissible for a student-athlete's institutional head coach to assist in the logistical arrangements for a student-athlete to engage in a professional tryout that occurs on or off campus and for the coach to attend the tryout; however, it is not permissible for a coach to direct or supervise such tryout.

**Question No. 2:** Can a professional team pay for a student-athlete's private tryout with the team?

**Answer:** YES! In addition to being able to participate in the NBA Draft Combine and/or G League Elite Camp in May, a student-athlete may also participate in a tryout with a professional team, provided he does not miss class. The student-athlete may receive actual and necessary expenses from the NBA team in conjunction with one 48-hour tryout per team. The 48-hour tryout period begins when he arrives at the tryout location. At the completion of the 48-hour period, the student-athlete must depart the location of the tryout immediately in order to receive return transportation expenses. A professional team may not pay for a student-athlete's training in preparation for his tryout with the team.

**Question No. 3:** Can an NCAA-certified agent pay for a student-athlete's tryout with a professional team?

**Answer:** YES! Once a student-athlete signs an agreement with an NCAA-certified agent, the agent may provide him (and his family members) with transportation, lodging and meals related to tryouts with professional teams, provided the student-athlete does not miss class. An NCAA-certified agent may not pay for a student-athlete's training in preparation for his tryout with the team.

**Question No. 4:** Can any other individual pay for a student-athlete's tryout with a professional team?

**Answer:** NO! Unless a professional team or NCAA-certified agent pays for the expenses in conjunction with a tryout, a student-athlete and his family are responsible for paying all expenses associated with any tryouts.

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**Question No. 5:** Can any individual pay for training in preparation for a student-athlete's tryout with a professional team?

**Answer:** NO! A student-athlete and his family are responsible for paying all expenses associated with any training in preparation for a tryout with a professional team.

**Question No. 6:** Can a student-athlete pay for his own tryouts with professional teams?

**Answer:** YES! A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided the student-athlete does not miss class.



**Question:** May an agent or booster play a role in securing a loan?

**Answer:** NO! A student-athlete may not allow a third party (including an NCAA-certified agent or boosters) to be involved in any arrangement for securing a loan. For example, a student-athlete may not allow a third party to play a role in securing a personal loan or a loan to pay for disability or loss of value insurance.

**Helpful Tips.**

1. A student-athlete should keep his head coach and compliance coordinator informed of all activities during this process.
2. A student-athlete should coordinate all activities himself in conjunction with his head coach or athletics department staff at his institution, or his NCAA-certified agent. He may receive the assistance of his family members, provided they are not working with a non-NCAA-certified agent who is marketing the student-athlete's athletics ability (e.g., contacting professional teams, setting up tryouts with professional teams).
3. A student-athlete should remain enrolled in school and complete academic courses while "testing the waters."

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**Who to Contact With Questions About NCAA Rules.**

NCAA Division I institutions with interpretive questions regarding the NBA Draft, NBA Draft Combine, G League Elite Camp, agents and tryouts:

1. Individuals not affiliated with a Division I institution, please contact the compliance staff at the school the student-athlete attends.
2. For Division I institutions, please submit an interpretation request in Requests/Self-Reports Online (RSRO).

**Additional Information Related to NBA Rules and Processes.**

1. Request for evaluation from NBA Undergraduate Advisory Committee.

Any college underclassman who seeks information from the Undergraduate Advisory Committee must apply in writing for an evaluation after the conclusion of his team's college season (including all tournament games) but no later than 11:59 p.m. Eastern time on April 11, 2019.

To request feedback from the Undergraduate Advisory Committee, a student-athlete must email a signed and completed Undergraduate Advisory Committee Application Form to the NBA League Office (*see below* for email address). The Application Form was sent (via email from Kiki VanDeWeghe, Executive Vice President, NBA Basketball Operations) to all NCAA Division I college programs on March 8, 2019. The Application Forms also will be included in a new educational brochure the NBA plans to send to all NCAA Division I college programs by late March 2019.

- Email: UAC@nba.com

The feedback from the Undergraduate Advisory Committee will be provided in writing and it will be delivered to the student-athlete and his head college coach via email. Feedback will be based on the professional judgement of the Undergraduate Advisory Committee and highlight whether the student-athlete is likely to be:

- a. Drafted in the Lottery (i.e., pick Nos. 1-14);
- b. Drafted in the First Round but outside the Lottery (i.e., pick Nos. 15-30);
- c. Drafted in the first half of the Second Round (i.e., pick Nos. 31-45)
- d. Drafted in the second half of the Second Round (i.e., pick Nos. 46-60); or
- e. Not drafted.

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In certain cases, NBA Basketball Operations personnel will engage in telephone conversations with a player and his head college coach (and other individuals whom the player may designate) to help educate the student-athlete on the feedback he received.

**Keep in mind:**

- a. The NBA Undergraduate Advisory Committee is composed of NBA team executives who will provide a confidential projection of a potential draftee's likely draft position.
- b. On or around April 1, the NBA League Office will begin to provide the initial round of written feedback to Undergraduate Advisory Committee applicants. The NBA League Office will continue to provide feedback on a rolling basis in advance of the NBA's early entry deadline on April 21 at 11:59 p.m. ET.
  - If you would like to be included within the initial round of feedback, you must submit your application form no later than Friday, March 22.
  - If you wait to submit your application form until after March 22 (e.g., if your team is still involved in postseason play) but prior to the application deadline, it typically will take at least one full week from the time your application is submitted before you and your college head coach receive any feedback. Sometimes, it will take slightly longer before you receive any feedback.
- c. If you remain in the NBA Draft through the conclusion of the Draft Combine, you will receive updated written feedback from the Undergraduate Advisory Committee prior to the NCAA's deadline to withdraw from the Draft on May 29, 2019.
- d. Requesting an evaluation does not automatically enter a student-athlete in the NBA Draft, nor is a student-athlete required to apply for feedback to enter the draft. To declare for the NBA Draft, a student-athlete must file separate paperwork with the NBA.

**NBA Undergraduate Advisory Committee Contact:**

Chigozie Umeadi (NBA) at 212-407-8733 / 630-890-7466 or [UAC@nba.com](mailto:UAC@nba.com).

Jason Bleznick (NBA) at 212-407-8009 / 303-548-2699 or [UAC@nba.com](mailto:UAC@nba.com).

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2. Apply to the NBA Draft as an early entrant.

A student-athlete who wishes to enter the 2019 NBA Draft must send a letter stating his desire to enter the 2019 NBA Draft to Erika Ruiz at:

Email: [DraftMailbox@nba.com](mailto:DraftMailbox@nba.com)

The letter should include the school where the student-athlete played during the 2018-19 season, his current year (for example: freshman, sophomore or junior), date of birth, daytime phone number, home address and email address.

Please be sure that the student-athlete includes the date and signature on the letter. If the letter is not signed by hand or by electronic signature, such as DocuSign, it will not be accepted. If the student-athlete is not able to scan the letter, he may take a clear picture of the letter with a phone and attach it to his email.

Once the letter has been received, an application may be sent to the student-athlete, which should be promptly returned along with a clear photocopy of his proof of date of birth (i.e., driver's license, passport, birth certificate).

NBA Draft Contact:

Wesley Harris (NBA) at 212-407-8073 / 516-242-2764 or [wharris@nba.com](mailto:wharris@nba.com).

3. Withdraw from the NBA Draft.

A student-athlete who wishes to remove his name from the NBA Draft **AND** maintain NCAA eligibility must submit a written statement to the NBA by 11:59 p.m. Eastern time, May 29, 2019.

A student-athlete who remains in the NBA Draft after the NCAA deadline, but still wishes to remove his name from the NBA Draft, must submit a written statement to the NBA by 5 p.m. Eastern time, June 10, 2019.

In either case above, the statement from the student-athlete should indicate the following: "I, {Student-Athlete, of NCAA college/university}, officially notify the NBA of my request to withdraw my name from consideration in the 2019 NBA Draft."

The student-athlete should also include his contact information and date of submission. Please be sure that the student-athlete includes the date and signature on the letter. If the letter is not signed by hand or by electronic signature, such as DocuSign, it will not be accepted. If the student-athlete is not able to scan the letter, he may take a clear

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picture of the letter with a phone and attach it to his email.

The statement may be sent to Erika Ruiz at:

Email: [DraftMailbox@nba.com](mailto:DraftMailbox@nba.com)

**NBA Draft Contact:**

Wesley Harris (NBA) at 212-407-8073 / 516-242-2764 or [wharris@nba.com](mailto:wharris@nba.com).

4. NCAA contacts for questions regarding the NBA Draft and Combine process/logistics.

Jobrina Marques, associate director of academic and membership affairs, at [jmarques@ncaa.org](mailto:jmarques@ncaa.org).

Jeremy McCool, director of enforcement, at [jmccool@ncaa.org](mailto:jmccool@ncaa.org).

JM/rku

cc: Selected NCAA and NBA Staff Members